

IN THE UNITED STATES DISTRICT COURT  
FOR THE \_\_\_\_\_ DISTRICT OF TEXAS  
\_\_\_\_\_ DIVISION

Form To Be Used By A Prisoner in Filing a Complaint  
Under the Civil Rights Act, 42 U.S.C. § 1983

DominiQue S. DeBoise # 1531401

Plaintiff's name and ID Number

James V. allied unit

Place of Confinement

CASE NO: 7-12-CV-021-0  
(Clerk will assign the number)

v.

Sgt. J. CASTRO 2101 FM 369N. IOWA PARK, TX 76367

Defendant's name and address

Sgt. B. BRASIER 2101 FM 369N. IOWA PARK, TX 76367

Defendant's name and address

C.O T. Lipe 2101 FM 369N. IOWA PARK, TX 76367

Defendant's name and address

(DO NOT USE "ET AL.")

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INSTRUCTIONS - READ CAREFULLY

NOTICE:

**Your complaint is subject to dismissal unless it conforms to these instructions and this form.**

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE. ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.**
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the Clerk of the United States Court for the appropriate District of Texas in the Division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. The list labeled as "VENUE LIST" is posted in your unit law library. It is a list of Texas prison units indicating the appropriate District Court, the Division and an address of the Divisional Clerks.

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
**FILED**

rcb - 6 2012

CLERK, U.S. DISTRICT COURT  
By 14 Deputy

## FILING FEE AND IN FORMA PAUPERIS

1. In order for your complaint to be filed, it must be accompanied by the filing fee of \$350.00.
2. If you do not have the necessary funds to pay the filing fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis* (IFP), setting forth the information to establish your inability to prepay the fees and costs or give security therefore. You must also include a six (6) month history of your Inmate Trust Account. You can acquire the application to proceed IFP and appropriate Inmate Account Certificate from the law library at your prison unit.
3. 28 U.S.C. 1915, as amended by the Prison Litigation Reform Act of 1995 (PLRA), provides, "...if a prisoner brings a civil action or files and appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." Thus, the Court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the Court will apply 28 U.S.C. 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your Inmate Account, until the entire \$350 filing fee has been paid.
4. If you intend to seek *in forma pauperis* status, then do not send your complaint without an Application to Proceed IFP, and the Certificate of Inmate Trust Account. Complete all the essential paperwork before submitting it to the Court.

## CHANGE OF ADDRESS

It is your responsibility to inform the Court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motions(s) for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedures.

### I. PREVIOUS LAWSUITS:

- A. Have you filed any other lawsuits in the state or federal court relating to imprisonment? \_\_\_\_\_ YES  NO
- B. If your answer to "A" is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
  1. Approximate date of filing lawsuit: \_\_\_\_\_
  2. Parties to previous lawsuit:  
Plaintiff(s): \_\_\_\_\_  
Defendant(s): \_\_\_\_\_
  3. Court (If federal, name the district; if state, name the county) \_\_\_\_\_
  4. Docket Number: \_\_\_\_\_
  5. Name of judge to whom case was assigned: \_\_\_\_\_
  6. Disposition: (Was the case dismissed, appealed, still pending?)  
\_\_\_\_\_
  7. Approximate date of disposition: \_\_\_\_\_

II. PLACE OF PRESENT CONFINEMENT: James V. Allred Unit

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted both steps of the grievance procedure in this institution? ✓ YES        NO

Attach a copy of the Step 2 grievance with the response supplied by the prison system.

IV. PARTIES TO THE SUIT:

A. Name of address of plaintiff: Domini Que Stephen DeBose # 1531401  
James V. Allred - 2101 FM 369N. IOWA PARK, TX 76367

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: JOSE CASTRO, Sergeant, T.D.C.J., James V. Allred  
2101 FM 369N. IOWA PARK, TX 76367

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.  
initiated an use of force (unprovoked), maliciously and sadistically assaulted me.

Defendant #2: Brandon Brasier, Sergeant, T.D.C.J., James V. Allred  
2101 FM 369N. IOWA PARK, TX 76367

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.  
participated in malicious and sadistic acts (unprovoked). assaulting me.

Defendant #3: TREY Lipe, Correctional Officer, T.D.C.J., James V. Allred  
2101 FM 369N. IOWA PARK, TX 76367

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

participated in malicious and sadistic acts (unprovoked). assaulting me.

Defendant #4: \_\_\_\_\_

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Defendant #5: \_\_\_\_\_

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

**V. STATEMENT OF CLAIM:**

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal argument or cite any cases of statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember that the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

On March 21, 2010, I was assaulted with handrestraints on (unprovoked) on (ECB) High Security by Sergeant J. Castro, Sergeant B. Brasier, and Officer T. Lipe. On High Security March 22, 2010 Sergeant J. Castro maliciously and sadistically rammed me into the wall while I was in the handrestraints while in the custody (correctional) Officer J. Crumley, who was escorting me back to my pod and cell. Sergeant J. Castro repeatedly struck (closed fist) pushed me until I was in the corner of the hallway and shoved over an firehose wheel then he continued to strike me in the back of my head. Sgt. J. Castro yelled stop resisting, in which I never provoked him in anyway then Officer T. Lipe ran to the scene and shoved his index finger into my Esophagus and caused me to gag and choke, me being unable to breath. Sergeant B. (continue Next page)

**VI. RELIEF:** State briefly exactly what you want the court to do for you. Make no legal arguments. Cite not cases or statutes.

Order T.D.C.J and the defendants to pay compensatory damages of \$ 9,000; Order T.D.C.J and defendants to pay punitive damages of \$ 9,000; and be demoted of their rank/class.

**VII. GENERAL BACKGROUND INFORMATION:**

A. State, in complete form, all names you have ever used or been known by including any and all aliases:

"DeeDee", my initials

B. List all TDCJ-ID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you, if known to you.

Just current T.D.C.J - ID # 1531401

**VIII. SANCTIONS:**

A. Have you been sanctioned by any court as a result of any lawsuit you have filed?  YES  NO

B. If your answer is "yes", give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (If federal, give district and division): \_\_\_\_\_
2. Case Number: \_\_\_\_\_
3. Approximate date sanctions were imposed: \_\_\_\_\_
4. Have the sanctions been lifted or otherwise satisfied?  YES  NO

SERGEANT BRANDON BRASIER RAN UP, SQUEEZED AND TIGHTEN  
(NON-  
THE-DOUBLE LOCKED) RESTRAINTS AROUND MY WRIST AND CAUSE THE HAND-CUFF  
TO CUT INTO MY SKIN. THEN CAPTAIN HARRIS, WALKED UP AND YELLED  
TO ME "SHUT YOUR FAGGOT ASS UP"! THEN SGT.J.CASTRO AND SGT.B.BRASIER,  
FORC~~ED~~LY JACKED UP MY ARMS & SQUEEZE THEM TIGHT, AND SPEED WALKED  
ME TO THE CELL & THEY RAMMED ME INTO THE WALL. ONCE THE CELL DOOR  
WAS OPEN, OFFICER T.LIPE STICKS HIS FOOT OUT AND TRIP ME AND I FELL  
FACE DOWN. T.LIPE, STOMPED AND STEPPED ON THE BACK OF MY LEGS, AND  
SGT.J.CASTRO & SGT.B.BRASIER BOTH KICKED ME IN THE BACK OF MY HEAD.

ONCE IN CELL I SQUAT TO LET THEM REMOVE THE CUFFS, SGT.CASTRO  
OFFICER T.LIPE BOTH GRAB AN ARM AND YANKED THEM AND TWISTED  
THEM CAUSING MY WOUNDS ON MY WRIST FROM THE HANDCUFFS TO BLEED  
MORE. SGT.J CASTRO "DENIED ME MEDICAL TREATMENT, & NO VIDEO CAMERA  
RECORDER WAS PRESENT THROUGH OUT THE WHOLE UNNECESSARY MAJOR USE  
OF FORCE, WHICH VIOLATE USE OF FORCE PROCEDURE. PLUS POD SECURITY  
CAMERA CAPTURED THE WHOLE INCIDENT & THE HALLWAY. SECURITY CAMERA  
AND OFFICER J.CRUMLEY GAVE A ACCURATE STATEMENT OF WHAT HAPPEN  
TOWARDS ME.

C. Has any court ever warned or notified you that sanctions could be imposed?  YES  NO

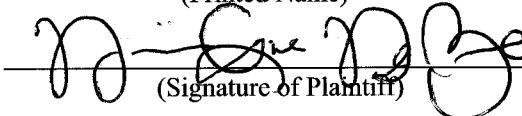
D. If your answer is "yes", give the following information for every lawsuit in which warning was imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed warning (if federal, give the district and division): \_\_\_\_\_
2. Case number: \_\_\_\_\_
3. Approximate date warning were imposed: \_\_\_\_\_

Executed on: 2-1-12  
(Date)

DominiQue S. DeBoise

(Printed Name)



(Signature of Plaintiff)

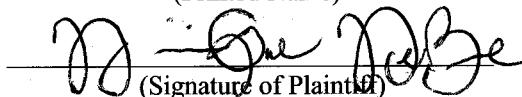
#### PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachment thereto are true and correct.
2. I understand if I am released or transferred, it is my responsibility to keep the Court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand that I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions in a Court of the United States while incarcerated or detained in any facility, which lawsuits are dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger or serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire \$350 filing fee and costs assessed by the Court, which shall be deducted in accordance with the law from the inmate account by my custodian until the filing fee is paid.

Signed this 18<sup>th</sup> day of February, 20 12.  
(Day) (Month) (Year)

DominiQue S. DeBoise

(Printed Name)



(Signature of Plaintiff)

**WARNING: The Plaintiff is hereby advised any false or deliberately misleading information provided in response to the following questions will result in the imposition of sanctions. The sanctions the Court may impose include, but are not limited to monetary sanctions and/or the dismissal of this action with prejudice.**



HSD-2317

JUL 13 2010

## Texas Department of Criminal Justice

## STEP 2

OFFENDER  
GRIEVANCE FORMOffender Name: Dominique DeBose TDCJ # 1531401Unit: QURED Housing Assignment: 112-00347Unit where incident occurred: James V. QURED

OFFICE USE ONLY

Grievance #: 2010124338UGI Recd Date: MAY 14 2010HQ Recd Date: MAY 24 2010Date Due: 06-18Grievance Code: 800,002,001Investigator ID #: I0317

Extension Date: \_\_\_\_\_

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be specific). *I am dissatisfied with the response at Step 1 because...*

I'm appealing grievance (# 2010124338), because I asked for specific requests that would have been an resolution to my complaint, which was the cameras to be reviewed to support my complaint and claim, and have an use of said physical done before my injuries healed. and also so the unnecessary major excessive use of force was documented, because nothing was ever documented by the higher authority or unit Searer, cause their wasn't an camera correctional officer present with the camera. and also the grievance (2010124338) response isn't relating to the grievance complaint, I written about I spoke with the (OIO) one time, when he informed me about he was taking over the said investigation and I haven't heard anymore about his investigation, I've many OIO's to find out what's going to take place, but it seems that the response to this Step 1 grievance, should have been by the unit parole or inspector general, cause the response for the grievance, were all around what I was asking for to relieve me and resolve my problem, but nothing I requested never happened. - so I deserve an explanation or deserve to know what's going on with the said

investigation, OR IT WAS NOT INVESTIGATED OR RESOLVED ON RESONABLEM  
the unit inspection general. 

MAY 27 2010

MAY 27 2010

Offender Signature: 

Date: 5-27-10

Grievance Response:

Your grievance has been reviewed and noted. An appropriate investigation was conducted and addressed at the Unit level. You should contact the Office of Inspector General on your unit for any information regarding the case that was opened. There has been no evidence found to support your allegations that your life is in danger at the Allred Unit. Review of your Step II grievance indicates no new evidence or information that would warrant further investigation into your allegations. No further action is warranted.

Signature Authority: 

Date: JUN 07 2010

Returned because: \*Resubmit this form when corrections are made.

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible. \*
- 3. Originals not submitted. \*
- 4. Inappropriate/Excessive attachments. \*
- 5. Malicious use of vulgar, indecent, or physically threatening language.
- 6. Inappropriate. \*

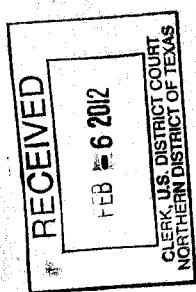
CGO Staff Signature: \_\_\_\_\_

OFFICE USE ONLY	
Initial Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
<b>2<sup>nd</sup> Submission</b>	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
<b>3<sup>rd</sup> Submission</b>	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	



DominiQue DeBoose  
James V. Allred  
2101 FM 369N  
IOWA PARK, TX 76367  
# 1531401

TO THE CLERK,  
OF THE UNITED STATES  
DISTRICT COURT OF TEXAS  
NORTHERN DISTRICT  
1000 LAMOR ST. ROOM 203  
MICHITA FALLS, TX 76301



(Legal mail)